

**United States Bankruptcy Court  
Eastern District of New York**

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June 6, 2005

**I. Profession Accrediting Agency or Jurisdiction Date of Admission**

Attorney, Columbia Law School, LL.B 1966, Admitted to the Bar, New York, 1966; U.S. District Court, Southern and Eastern Districts of New York, 1969; U.S. Court of Appeals, Second Circuit, 1969, also Sixth and Eleventh Circuits, U.S. Supreme Court 1972.

**II. Professional Organizations Dates of Admission**

The Association of the Bar of the City of New York 1970s, Arbitration Committee 2002 present, ADR Committee 2000-2002, Judiciary Committee 1981- 1984, 1994; American Bar Association, 1978, Sections: Dispute Resolution, Torts and Insurance Practice, Toxic and Hazardous Substances and Environmental Law, New York State Bar Association, ADR Committee 2004-present.

**III. General Professional Experience**

Fried & Epstein, LLP, Of Counsel 2000-present;  
Anderson Kill & Olick, PC Partner/Attorney 1975-1999  
Chadbourn & Parke, Associate/Attorney 1968-1975  
NYS Mental Health Information Service, Officer/Attorney 1966-1968

Over 30 years experience as a civil litigator, negotiator, arbitrator and mediator, specializing in commercial litigation, securities, antitrust, insurance, contracts and torts. I have litigated a wide variety of cases, including allegations of securities acts violations, antitrust, defense of individual and class actions, toxic tort cases, representation of corporate policyholders in insurance coverage litigation. Over 25% of practice devoted to arbitration and mediation, including serving as an arbitrator and

mediator, teaching and representing parties and providing advice relating to presentation of issues in an ADR forum.

#### **IV. Experience and Familiarity with Bankruptcy Law**

Appeared in Bankruptcy Court in connection with my representation of Keene Corporation; representation of corporate insurance policyholders in assertion of claims against state insolvency agencies, represented Trustee of Investors Funding Corporation and Liquidators of IIT, an International Investment Trust to recover their assets.

#### **V. Mediation Training**

U.S. District Court SDNY 1992, 2 days; NY Supreme Court, Commercial Division 1996, 1 day; NY Supreme Court, Commercial Division 1999, 13 hours, including acting as a facilitator/trainer; NY Supreme Court, Commercial Division 2000, 20 hours, including acting as a facilitator/trainer; NY Supreme Court, Commercial Division 2002, 13 hours, including acting as a facilitator/trainer; NY County Lawyers' Association Training for Part 137 Arbitrators and Mediators 5/5/03, 3 hours; EEOC mediation training 2001 & 2005, ½ day each; New Jersey Superior Court training approximately 8 hours 2003 and 4 hours 2005; CUNY Dispute Resolution Consortium Summer 2003: Mediating Workplace Disputes, 7.5 CLE credits and Appreciative Inquiry: A New Tool for Dispute Resolvers, 7.5 CLE credits; The Association of the Bar of the City of New York Alternatives to Litigating Y2K Disputes, faculty member 5/11/99, 6 CLE credits; The Association of the Bar of the City of New York, Representing Clients Effectively in Court Ordered & Other Mediations-Business to Business, 10/1/99, 4.5 CLE credits; The Association of the Bar of the City of New York, Med-Arb: Dream Solution or Ethical Nightmare, faculty member 5/7/02, 5 CLE credits; Participation in many CPR Institute for Dispute Resolution meetings, including: most winter meetings from 1983 to 2005, at least 7 spring meetings, Fall 2003 and 2004 meetings; American Arbitration Association Neutrals Conferences 1/24 & 25/ 03, 12 CLE credits, Fall 2003 and Spring 2004 Neutrals Conferences; NYS Bar Association January 27, 2005 ADR Committee 3 hours.

#### **VI. Mediation Experience**

Over 100 mediations, mediation panels: U. S. District Court for the Southern and Eastern Districts of New York, U. S. Bankruptcy Court for the Southern District of New York, New York State Supreme Court, New Jersey Superior Court, CPR Institute for Dispute Resolution, New York and Franchise panels, NASD, AAA, Equal Employment Opportunity Commission, Mediated a wide variety of commercial topics, including brokerage disputes, software supply contract dispute for large investment banker, banking, employment, general commercial, real estate and tort; Member New York Supreme Court ADR Advisory Committee.

**VII. Areas of Expertise**

Civil litigation, negotiation, mediation and arbitration, specializing in commercial litigation, securities, antitrust, insurance, employment, contracts and torts.

**VIII. General Pertinent Business or Legal Experience**

See above and below.

**IX. Other Pertinent Information**

Presenter AAA Arbitral Subpoenas May 2005; Association of the Bar of the City of New York Sports Arbitration Panel 2005; Med-Arb Dream Solution or Ethical Nightmare 2002; Lecturer; Columbia Law School, Professional Ethics; Editorial board of Alternatives Newsletter; demonstrates representation of a party in a mediation in a videotape "Mediation in Action Resolving a Complex Business Dispute." (Spring 1994) Taught Arbitration/Mediation at the International Development Law Institute (IDLI) Development Lawyers Course March 9-13, 1998. CPR Significant Practical Achievement Award, 1983.

Publications include: Directors and Officers Liability Under the Sarbanes-Oxley Act of 2002, IMRI June 2003; "New York Case Provides a Disclosure Lesson" Alternatives, March 2003; "The Neutral in Multiple Roles: Practical and Ethical Issues," Arbitration: Preparing for the 21st Century Conference, 2002; Assessing Sick Building Insurance Coverage, NYLJ 2001; "ADR and Insurance Coverage" for The Policyholder Conference 1998; "New York Court Upholds Arbitrators' Power to Impose a Punitive Damage Remedy," Alternatives, Vol. 16, No. 2, February 1998.

**X. Fee Structure**

Hourly rate: \$350 mediation and study time